

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

<b>JANET HEATH,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 4:19-CV-1856 PLC</b>
	)	
<b>ANDREW SAUL,</b>	)	
<b>Commissioner of Social Security,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff’s petition for award of attorney fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. [ECF No. 20] Plaintiff requests an award of \$5,146.68, representing 24.8 hours of attorney work at a rate of \$207.11 per hour. Plaintiff also requests reimbursement of the filing fee in the amount of \$400.00. Plaintiff attaches an “Assignment of Federal Court EAJA Attorney Fee,” in which she assigned any court-awarded fees to her attorney, Kristen Van Fossan. [ECF No. 21-3]

Defendant filed a response to Plaintiff’s petition for attorney fees, in which he states: “Defendant has no objection to Plaintiff’s request for attorney fees under the EAJA in the amount of \$5,146.68.” [ECF No. 22] Additionally, Defendant “agrees that Plaintiff should be compensated for the filing fee of \$400.00 from the Judgment Fund administered by the United States Treasury.” [Id.] Defendant requests that the Court “enter an order specifically awarding attorney fees of \$5,146.68 to be paid by the Social Security Administration, and costs of \$400.00 to be paid from the Judgment Fund.” [Id.] He notes, however, that any award of attorney fees is subject to offset to satisfy any preexisting debt Plaintiff owes to the United States. See Astrue v. Ratliff, 560 U.S. 586 (2010).

After careful consideration,

**IT IS HEREBY ORDERED** that Plaintiff's petition for award of attorney fees [ECF No. 20] is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff is awarded EAJA attorney fees in the amount of \$5,146.68, subject to offset for any preexisting debt that the Plaintiff owes to the United States. After determining whether Plaintiff owes any debt to the United States that is subject to offset, Defendant is directed to pay the EAJA fees directly to Plaintiff's attorney.

**IT IS FINALLY ORDERED** that Plaintiff is awarded costs of \$400.00, to be paid from the Judgment Fund administered by the United States Treasury.



---

PATRICIA L. COHEN  
UNITED STATES MAGISTRATE JUDGE

Dated this 24th day of June, 2021